

In the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application. Claims 27, 34, 37, 47-48, 51, 65, 67-68, 77-80 have been amended. Claims 40, 53-54, 64, 71-76 have been deleted without prejudice. New claims 81 and 82 have been added. No new matter has been added.

Claims 1-26 (cancelled without prejudice)

Claim 27 (Currently Amended) A container suitable for containing liquid and having at least one controlled deflection flex panel for accommodating pressure change induced in the container, said flex panel having longitudinal and transverse extents defining a plane of said flex panel, said flex panel having a flexure region positioned towards a first longitudinal end of said flex panel and a flexure initiator region positioned towards an opposing end of said flex panel, said flexure initiator region having a lesser amount of arc projecting away from said plane ~~to a lesser extent~~ than said flexure region, said regions merging together within the panel so that said initiator region can flex inwardly relative to said plane in response to pressure changes, wherein in response to pressure changes the amount of arc changes, and causes ~~and cause~~ said flexure region to progressively flex in response to increasing pressure change in the container.

Claim 28 (previously amended): A container as claimed in claim 27 which has a longitudinal axis and said flexure region projects outwardly in a transverse direction relative to said longitudinal axis.

Claim 29 (previously amended): A container as claimed in claim 27 in which said flexing of said flexure region results in an outward curvature of said flexure region lessening.

Claim 30 (previously amended): A container as claimed in claim 27 wherein said initiator region merges smoothly with said flexure region and said regions vary in outwardly projecting extent along an axis of said container.

Claim 31 (previously amended): A container as claimed in claim 27 wherein said initiator region merges smoothly with said flexure region and progressively varies in outwardly projecting extent from said initiator region to said flexure region.

Claim 32 (previously amended): A container as claimed in claim 27 wherein said flexure region varies in transversely radiating extent along an axis of said container.

Claim 33 (previously amended): A container as claimed in claim 27 wherein said initiator region varies in transversely radiating extent along an axis of said container.

Claim 34 (Currently Amended): A container as claimed in claim 27 28 in which a projection of said flexure region extends inwardly relative to said longitudinal axis of said container.

Claim 35 (previously amended): A container as claimed in claim 29 in which the initiator region inverts so as to reverse in curvature in response to vacuum pressure change within said container.

Claim 36 (previously amended): A container as claimed in claim 29 in which said flexure region inverts so as to reverse in curvature in response to vacuum pressure change within said container.

Claim 37 (Currently Amended): A container having a longitudinal axis, said container adapted to contain liquid at a temperature elevated above room temperature, said container including a wall with at least one invertible flexible panel, said flexible panel being adapted to flex upon a changing of internal pressure during a changing of temperature of said liquid, said flexible panel having at least one projecting ~~portion~~ region, projecting in a direction from a plane disposed relative to said longitudinal axis, said projecting region having an amount of arc, said projecting ~~portion~~ region positioned towards a first longitudinal end of said flexible panel, said flexible panel further including at least one initiator ~~portion~~ region displaced relative to said projecting ~~portion~~ region

towards an opposing longitudinal end, said initiator region having a lesser amount of arc ~~and projecting to a lesser extent~~ in said direction, whereby in use, said initiator ~~portion~~ region is adapted to reverse relative to the direction of its projection thereby causing said projecting ~~portion~~ region to reverse relative to the direction of its projection ~~and in the same direction parallel with the reversal of the initiator portion.~~

Claim 38 (previously added): A container as claimed in claim 37, wherein said flexible panel is adapted to flex inwardly upon a lowering of internal pressure during a cooling of said liquid.

Claim 39 (previously added): A container as claimed in claim 37, wherein the projection is in an outward direction relative to said plane.

Claim 40 (deleted without prejudice)

Claim 41 (previously amended): A container as claimed in claim 37 wherein the initiator ~~portion~~ region includes regions of minimal projection relative to said projecting ~~portion~~ region.

Claim 42 (previously added): A container as claimed in claim 37, wherein said flexible panel is adapted to flex outwardly in use upon a raising of internal pressure during a heating of said liquid.

Claims 43 (withdrawn from consideration)

Claims 44 (withdrawn from consideration)

Claims 45 (withdrawn from consideration)

Claims 46 (withdrawn from consideration)

Claim 47(Currently Amended): A container having at least one controlled deflection flex panel said flex panel having longitudinal and transverse extents defining a plane of said flex panel, said flex panel having an initiator region having an arc of a predetermined

extent of transverse projection away from said plane, and a first and second flexure region of a greater extent of transverse projection extending longitudinally away from said initiator region, said first flexure region extending towards a first end of said flex panel, and said second flexure region extending towards an opposing end of said flex panel, said initiator region being displaced nearer the centre of the flex panel than either longitudinal end, whereby flex panel deflection occurs in a controlled and progressive manner in response to changing container pressure.

Claim 48 (Currently Amended): A container adapted to contain liquid at a temperature elevated above room temperature, said container including a wall with a controlled deflection flex panel having a portion with an initiator region having an amount of arc of a predetermined extent of projection and a longitudinally displaced flexure region having a progressively increasing ~~extent of projection~~ amount of arc longitudinally extending away from said initiator region, said wall being outwardly bowed between said regions, whereby flex panel deflection occurs progressively between said regions in a controlled manner in response to changing container pressure ~~and in the same direction parallel with~~ an initial deflection of the initiator region.

Claims 49 (withdrawn from consideration)

Claims 50 (withdrawn from consideration)

Claim 51 (currently amended): A container as claimed in claim 47, including a pair of substantially inflexible regions between which said initiator region and said flexure regions extend.

Claim 52 (previously added): A container having a controlled deflection flex panel as claimed in claim 51, wherein the initiator region and flexure region are substantially arcuate.

Claim 53 (deleted without prejudice)

Claim 54 (deleted without prejudice)

Claims 55 (withdrawn from consideration)

Claims 56 (withdrawn from consideration)

Claims 57 (withdrawn from consideration)

Claims 58 (withdrawn from consideration)

Claims 59 (withdrawn from consideration)

Claims 60 (withdrawn from consideration)

Claims 61 (withdrawn from consideration)

Claims 62 (withdrawn from consideration)

Claims 63 (withdrawn from consideration)

Claim 64 (deleted without prejudice).

Claim 65 (Currently Amended) A biaxially oriented plastic container having a longitudinal axis, comprising: a neck defining a mouth, a shoulder portion joined with said neck portion and extending downward therefrom, a bottom portion forming a base of the container; a side wall extending between and joining said shoulder portion with said bottom portion, said side wall having at least one controlled deflection flex panel for accommodating pressure change induced in the container; said flex panel having a first flexure region positioned toward a first longitudinal end of said flex panel, a second flexure region positioned toward the opposing end of said flex panel, and a flexure initiator region positioned between said first and second flexure regions, said first and second flexure regions having an outward curvature in cross-section, said flexure initiator region having a lesser outward projection of curvature in cross-section, said flexure initiator region being located nearer the longitudinal centre of the flex panel than either end, said regions merging together so that said initiator region can flex inwardly in response to pressure changes and cause said flexure regions to progressively flex in response to increasing pressure change in the container.

Claim 66 (previously added): A container according to claim 65 having more than one vacuum panel.

Claim 67 (previously added): A container according to claim 65 having a plurality of said vacuum panels spaced apart and separated by land areas ~~or columns~~.

Claim 68 (Currently Amended) A hot-fill blow molded plastic container having at least one controlled deflection flex panel for accommodating vacuum induced in the container, said flex panel having longitudinal and transverse extents, said flex panel having a flexure region with a longitudinally variable transverse curvature and a continuous flexure initiator region ~~of a different~~ having a lesser amount of arc of transverse curvature longitudinally displaced from the flexure region, said curvatures smoothly merging together longitudinally so that motion of said flexure initiator region in response to vacuum is transferred to said flexure region for longitudinally progressively flexing said flexure region ~~in the same single direction parallel with the flexing of the initiator region~~ in response to increasing vacuum in the container.

Claims 69 (withdrawn from consideration)

Claims 70 (withdrawn from consideration)

Claim 71 (deleted without prejudice)

Claim 72 (deleted without prejudice)

Claim 73 (deleted without prejudice)

Claim 74 (deleted without prejudice)

Claim 75 (deleted without prejudice)

Claim 76 (deleted without prejudice)

Claim 77 (Currently amended): A container for containing liquid and having at least one controlled deflection flex panel for accommodating pressure change induced in the container, said flex panel having longitudinal and transverse extents defining a plane of said flex panel, said flex panel having a flexure region positioned towards a first longitudinal end of said flex panel and a flexure initiator region positioned towards an opposing end of said flex panel, said flexure region having an arc projecting away from

said plane, and said flexure initiator region having an arc of a lesser amount projecting away from said plane ~~to a lesser extent~~ than said flexure region, said regions merging together so that said initiator region can flex inwardly relative to said plane in response to pressure changes and cause said flexure region to progressively flex in response to increasing pressure change in the container ~~and in the same direction parallel with the direction of flexing of the initiator region.~~

Claim 78 (Currently amended): A container as claimed in claim 65, said flex panel ~~portion~~ including a pair of opposing ends and a pair of opposing sides, said flex panel ~~portion~~ including a pair of opposing columnland areas, said ~~columns~~ land areas being located at said opposing sides.

Claim 79 (Currently amended): A container as claimed in claim ~~77~~78, including two or more flex panels ~~portions~~, said flex panels ~~portions~~ being located at opposing sides of said ~~columns~~land areas.

Claim 80 (Currently amended): A container ~~for containing liquid and having at least one controlled deflection flex panel for accommodating pressure change induced in the container, said flex panel having longitudinal and transverse extents defining a plane of said flex panel, said flex panel having a first flexure region positioned towards a first longitudinal end of said flex panel, a second flexure region positioned towards the opposing longitudinal end of said flex panel, and a flexure initiator region positioned between said first and second flexure regions, said first and second flexure regions projecting away from said plane, and said flexure initiator region projecting away from said plane to a lesser extent than said first and second flexure regions, said regions merging together so that said initiator region can flex inwardly relative to said plane in response to pressure changes and cause said flexure region to progressively flex in response to increasing pressure change in the container and in the same direction parallel with the direction of flexing of the initiator region~~ as claimed in claim 78, including at least one initiator region displaced between two flexure regions, said flexure regions varying in extent of outward projection.

81. (New) A thin walled, plastic container for containing a liquid filled initially in a hot state and then sealed, the container having a longitudinal axis and including a plurality of vacuum panels, each adjacent pair of vacuum panels being spaced apart from each other by a first land area, each vacuum panel including an upper end and a lower end, each vacuum panel including an upper area adjacent the upper end, the upper area having an amount of arc projecting away from a plane normal to the container longitudinal axis, and a lower area adjacent the lower end, the lower area having a lesser amount of arc projecting away from said plane.

82. (New) A thin walled, plastic container for containing a liquid filled initially in a hot state and then sealed, the container having a longitudinal axis and including a plurality of vacuum panels, each adjacent pair of vacuum panels being spaced apart from each other by a first land area, each vacuum panel including an upper end and a lower end, each vacuum panel including an upper area adjacent the upper end, the upper area having an amount of arc projecting away from a plane normal to the container longitudinal axis, and a lower area adjacent the lower end, the lower area having a greater amount of arc projecting away from said plane.